EXHIBIT 10
DATE 1/19/11
RE HB 232
3.
2-Gm 3-11-02
2 DP 3.11.02
2-BA-3-11-02

OFFICE OF THE GOVERNOR

STATE OF MONTANA

JUDY MARTZ
GOVERNOR

STATE CAPITOL
PO BOX 200801
HELENA, MONTANA 59620-0801

March 8, 2002

Board of County Commissioners
Powder River County
Box 270
Broadus, MT 59317

Dear Commissioners:

Thank you for contacting my office. I appreciate hearing from you.

As you know, I have viewed the transfer of the Otter Creek tracts from federal ownership to State of Montana ownership as a critical component of improving economic development opportunities in Montana. It now appears that the transfer is eminent and the State of Montana will soon be receiving title to these eleven sections of valuable coal.

It is my understanding that the Department of Interior has complied with the entire relative federal laws and regulations required for a smooth transfer of title. Outside title transfer, no other federal action will ensue.

Once the title has vested in the State of Montana, the management of those lands will fall to the Montana Land Board and the Department of Natural Resources and Conservation. The Land Board constitutionally mandated to maximize revenues on Trust Lands would provide oversight into the development of these tracts.

While the state's Montana Environmental Policy Act (MEPA) does not contain provisions for "cooperating agency" status, I want to assure you that as governor I will look to those most directly impacted by any development of these tracts. I believe the best government is the government closest to the people, and therefore the input and advice of the county commissioners is extremely valuable.

I will ask Director Bud Clinch of DNRC and Director Jan Sensibaugh of the Department of Environmental Quality to keep you as commissioners apprised of any developments associated with the Otter Creek tracts.

While state law does not provide for an official "Cooperating Agency" status, I will do my best to work with you in a manner that cooperates with the local impacted citizens and local government.

Thanks again for contacting my office.

Sincerely,

JUDY MARTZ
Governor

c: Bud Clinch, DNRC
Jan Sensibaugh, DEQ

OFFICE OF THE GOVERNOR

STATE OF MONTANA

JUDY MARTZ
GOVERNOR

STATE CAPITOL
PO BOX 200801
HELENA, MONTANA 59620-0801

March 14, 2002

County Commissioners
Powder River County
PO Box 270
Broadus, MT 59317

Dear Commissioners:

Thank you for contacting my office with your thoughts about developing the Otter Creek Tracts. I appreciate hearing from you.

As you know by now, the Land Board voted on a 3-2 vote to approve an agreement proposed between the Northern Cheyenne Indian Reservation and the State of Montana regarding future development of the Otter Creek Tracts. I voted in the minority at that Land Board meeting.

Like you, I am very concerned about the economic viability of future development in your area. I have long felt that the proper development of the Otter Creek Tracts could bring positive economic impacts to southeast Montana. The Otter Creek Tracts, with over 533 million tons of high quality coal provides the opportunity to generate good paying jobs and a stable tax base in an area of Montana that desperately needs it.

At the Land Board hearing, I argued to postpone a decision on the proposed agreement until local interested parties and individuals had an opportunity to review the document and comment on it. I also argued that rushing to approve the document minus sufficient input from viable potential developers and other experts in coal development may ultimately hurt development chances in your area.

Despite my objections, the Land Board moved to approve the agreement. I respectfully disagree with the three members of the Land Board who were

adamant that the agreement would not harm development despite testimony from the business community to the contrary.

However, the agreement has been made and I am moving forward to ensure the State of Montana receives title to the Otter Creek Tracts in a timely fashion. It is my understanding that the Department of Interior is working to affect that transfer.

While it remains to be seen whether or not the stipulations agreed to by the Land Board will harm development, I will continue to push for responsible development of these tracts once the State of Montana receives title. I assure you that I will work closely with you in any progress we see with regard to development of these tracts.

As soon as the Otter Creek Tracts are vested in the State of Montana, I will be looking for your assistance to secure responsible development that benefits the citizens of southeast Montana.

Sincerely,

JUDY MARTZ
Governor

BOARD OF COUNTY COMMISSIONERS
POWDER RIVER COUNTY
PO Box 270
Broadus, Montana 59317

Fax: 406-436-2151
Phone: 406-436-2657

Don McDowell, Broadus
Ray Traub, Broadus
Betty Aye, Broadus

March 28, 2002

Honorable Governor Judy Martz
State Capitol
PO Box 200801
Helena, MT 59620-0801

Dear Honorable Governor Martz:

Thank you for your letter concerning development of the Otter Creek coal tracts. We appreciate the fact that you are willing to move forward and work with local governments of those areas where there is the potential for development of natural resources. In the past, we have seen the federal or state governments tell local governments what is going to take place in their county. This approach often creates a division in the very beginning.

Powder River County is an active member of the Montana Coal, Oil and Gas Counties, the Montana Association of Counties, the National Association of Counties and the Montana Forest Counties. Commissioners in other counties that we have visited with also recognize the importance of working with the state and federal governments, particularly on issues that affect our individual counties. This is why we liked the term, "cooperating agency" and it's definition. We all feel this would be a benefit to bring a well-represented coalition to guide responsible development of our natural resources within our state and within our counties.

Again, Governor Martz, thank you for your commitment to work with our county. We certainly look forward to working with you.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
POWDER RIVER COUNTY

Don McDowell, Chairman

Ray Traub

Betty Aye

RESOLUTION 2002-39

COUNTY GOVERNMENT'S ROLE IN RELATIONSHIP WITH STATE AND FEDERAL AGENCIES

X It is the intent of the Montana Association of Counties to insure that State and Federal Agencies encourage county governmental participation in use in natural resource decision making and planning processes.

WHEREAS, Pursuant to Article XI, Montana State Constitution, Title 7 and Title 76 of the Montana Code Annotated, Montana counties through their Boards of Commissioners are charged with the management of the counties to preserve the health, welfare, and safety of its citizens, to promote the orderly development of its governmental units and its environments, and to recognize the needs of agricultural business and industry for future growth; and

WHEREAS, the State of Montana has enacted laws which empower county commissioners to develop land use plans and growth policies deemed necessary and desirable to promote and preserve the public health, safety, convenience, welfare and to achieve community goals and objectives; and

WHEREAS, the National Environmental Policy Act, the President's Council on Environmental Quality Regulations (40 CFR, Section 1506.2) and the Intergovernmental Cooperation Act provide mechanisms for intergovernmental coordination and collaboration and federal planning efforts; and

WHEREAS, the Montana Environmental Protection Act does not provide mechanisms for intergovernmental coordination, cooperation, and joint environmental planning at the county level; and

WHEREAS, the National Environmental Policy Act and the Council on Environmental Quality Regulations require the assessment of the direct, indirect, and cumulative effects of Federal agency planning decisions on the environment, including the ecological, aesthetic, historic, cultural, economic and other impacts that may occur as a result of private and/or governmental actions; and

WHEREAS, county government is recognized as the fundamental level for citizens to be able to interact with government; and

WHEREAS, county government plays a fundamental, highly influential role in the daily lives of citizens through maintenance of such basic services as law enforcement, health care, road maintenance, human services, emergency response, fire services, noxious weed management, economic development and the like; and

WHEREAS, relationships with other governmental entities are necessary to the successful ability of county government to carry out its responsibilities inherent in its authority as county government and mandated by state and/or federal law. Influences from state, federal, and other local governments impact the ability of county government to function and perform its responsibilities,

NOW, THEREFORE, BE IT RESOLVED that the Montana Association of Counties supports that State and Federal government including any of their agencies, branches, departments, office's or advisory committees recognize county governments in Montana as collaborating, coordinating, or cooperating government agencies and not as "stakeholders" or "interest groups" in the process of planning and regulatory actions taken by Federal and State governments; and

BE IT FURTHER RESOLVED that before any actions by State or Federal agencies to consider, propose, or regulate activities that have the potential of effecting land use or resources in Montana counties, the agencies should request and consult with counties to encourage counties to become collaborating, coordinating or cooperating agencies or advisory committee members. This will encourage counties and the Federal Land Management or state agencies to evaluate the following in the planning end or decision-making process:

A. Consider the effects such actions have on (i) community stability; (ii) maintenance of custom, culture and economic stability; and (iii) conservation and use of the environment and natural resources, as part of the action taken;

B. Coordinate procedures to the fullest extent possible with the county, prior to and during the taking of any federal action;

C. Establish a process for such coordination with the county by understanding or other agreement for joint planning, joint environmental research, data collection, joint hearings, and joint environmental assessment;

D. Submit a description of possible conflicts with the county's ordinances, policies plans and growth policies; consider reconciling to the extent possible the proposed action with the county's ordinances, policies, plans and growth policies; and after such consideration, take all practical measures to resolve such conflict and record in writing;

E. Assume that any proposed actions will have a significant impact on county conditions and assume that coordination, cooperation, consultation and advisory committee participation with the county and review of data specific to the county is a necessary prerequisite to all planning activities;

F. Coordinate, in absence of direct constitutional conflict, with the county to comply with federal and state statutes and regulations, and the state and federal

constitutions, county ordinances, policies, plans, and growth policies, and in particular in respect to private property and property rights; and

G. Adopt appropriate mitigation with the concurrence of the county for adverse impacts on environment, local culture, custom, economic stability or protection and use of the resources;

BE IT FURTHER RESOLVED, that Montana Association of Counties will notify all Federal and State agencies which administer land or conduct programs relating to natural resources and request notification of all planning processes, in an effort to facilitate participation by counties in the planning process, particularly with regard to the National Environmental Policy and the Montana Environmental Protection Act.

BE IT FURTHER RESOLVED, that the Montana Association of Counties encourages counties to assume the responsibilities of participation in State or Federal planning efforts appropriate to the county's needs and ability, which may include participation on advisory committees, collaboration, coordination or cooperation.

SPONSOR:	MACo Public Lands Committee
RECOMMENDATION:	Do Pass
PRIORITY:	High
REFERRED TO:	MACo Public Lands Committee
ADOPTED:	Annual Conference; Big Sky, MT September 25, 2002

2003 Montana Legislature

About Bill -- Links

HOUSE BILL NO. 142
INTRODUCED BY DEVLIN

AN ACT REQUIRING THE STATE OFFICIAL RESPONSIBLE FOR THE PREPARATION OF AN ENVIRONMENTAL IMPACT STATEMENT TO CONSULT WITH ANY LOCAL GOVERNMENT THAT MAY BE DIRECTLY IMPACTED BY A PROJECT; AMENDING SECTIONS 75-1-104 AND 75-1-201, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 75-1-104, MCA, is amended to read:

"**75-1-104. Specific statutory obligations unimpaired.** ~~Nothing in~~ Sections 75-1-103 ~~or~~ and 75-1-201 ~~shall in any way~~ do not affect the specific statutory obligations of any agency of the state to:

(1) comply with criteria or standards of environmental quality;

(2) coordinate or consult with any ~~other~~ local government, other state agency, or federal agency; or

(3) act or refrain from acting contingent upon the recommendations or certification of any other state or federal agency."

Section 2. Section 75-1-201, MCA, is amended to read:

"**75-1-201. General directions -- environmental impact statements.** (1) The legislature authorizes and directs that, to the fullest extent possible:

(a) the policies, regulations, and laws of the state must be interpreted and administered in accordance with the policies set forth in parts 1 through 3;

(b) under this part, all agencies of the state, except the legislature and except as provided in subsection (2),

shall:

(i) use a systematic, interdisciplinary approach that will ensure:

(A) the integrated use of the natural and social sciences and the environmental design arts in planning and in decisionmaking that may have an impact on the human environment; and

(B) that in any environmental review that is not subject to subsection (1)(b)(iv), when an agency considers alternatives, the alternative analysis will be in compliance with the provisions of subsections (1)(b)(iv)(C)(I) through (1)(b)(iv)(C)(III) and, if requested by the project sponsor or if determined by the agency to be necessary, subsection (1)(b)(iv)(C)(IV);

(ii) identify and develop methods and procedures that will ensure that presently unquantified environmental amenities and values may be given appropriate consideration in decisionmaking, along with economic and technical considerations;

(iii) identify and develop methods and procedures that will ensure that state government actions that may impact the human environment are evaluated for regulatory restrictions on private property, as provided in subsection (1)(b)(iv)(D);

(iv) include in each recommendation or report on proposals for projects, programs, and other major actions of state government significantly affecting the quality of the human environment a detailed statement on:

(A) the environmental impact of the proposed action;

(B) any adverse environmental effects that cannot be avoided if the proposal is implemented;

(C) alternatives to the proposed action. An analysis of any alternative included in the environmental review must comply with the following criteria:

(I) any alternative proposed must be reasonable, in that the alternative must be achievable under current technology and the alternative must be economically feasible as determined solely by the economic viability for similar projects having similar conditions and physical locations and determined without regard to the economic strength of the specific project sponsor;

(II) the agency proposing the alternative shall consult with the project sponsor regarding any proposed alternative, and the agency shall give due weight and consideration to the project sponsor's comments regarding the proposed alternative;

(III) if the project sponsor believes that an alternative is not reasonable as provided in subsection (1)(b)(iv)(C)(I), the project sponsor may request a review by the appropriate board, if any, of the agency's determination regarding the reasonableness of the alternative. The appropriate board may, at its discretion, submit an advisory recommendation to the agency regarding the issue. The agency may not charge the project sponsor for any of its activities associated with any review under this section. The period of time between the request for a review

and completion of a review under this subsection may not be included for the purposes of determining compliance with the time limits established for environmental review in 75-1-208.

(IV) the agency shall complete a meaningful no-action alternative analysis. The no-action alternative analysis must include the projected beneficial and adverse environmental, social, and economic impact of the project's noncompletion.

(D) any regulatory impacts on private property rights, including whether alternatives that reduce, minimize, or eliminate the regulation of private property rights have been analyzed. The analysis in this subsection (1)(b)(iv)(D) need not be prepared if the proposed action does not involve the regulation of private property.

(E) the relationship between local short-term uses of the human environment and the maintenance and enhancement of long-term productivity;

(F) any irreversible and irretrievable commitments of resources that would be involved in the proposed action if it is implemented; and

(G) the details of the beneficial aspects of the proposed project, both short-term and long-term, and the economic advantages and disadvantages of the proposal;

(v) in accordance with the criteria set forth in subsection (1)(b)(iv)(C), study, develop, and describe appropriate alternatives to recommend courses of action in any proposal that involves unresolved conflicts concerning alternative uses of available resources;

(vi) recognize the national and long-range character of environmental problems and, when consistent with the policies of the state, lend appropriate support to initiatives, resolutions, and programs designed to maximize national cooperation in anticipating and preventing a decline in the quality of the world environment;

(vii) make available to counties, municipalities, institutions, and individuals advice and information useful in restoring, maintaining, and enhancing the quality of the environment;

(viii) initiate and use ecological information in the planning and development of resource-oriented projects; and

(ix) assist the environmental quality council established by 5-16-101;

(c) prior to making any detailed statement as provided in subsection (1)(b)(iv), the responsible state official shall consult with and obtain the comments of any state agency that has jurisdiction by law or special expertise with respect to any environmental impact involved and with any local government, as defined in 7-12-1103, that may be directly impacted by the project. The responsible state official shall also consult with and obtain comments from any state agency with respect to any regulation of private property involved. Copies of the statement and the comments and views of the appropriate state, federal, and local agencies that are authorized to develop and enforce environmental standards must be made available to the governor, the environmental

quality council, and the public and must accompany the proposal through the existing agency review processes.

(d) a transfer of an ownership interest in a lease, permit, license, certificate, or other entitlement for use or permission to act by an agency, either singly or in combination with other state agencies, does not trigger review under subsection (1)(b)(iv) if there is not a material change in terms or conditions of the entitlement or unless otherwise provided by law.

(2) The department of public service regulation, in the exercise of its regulatory authority over rates and charges of railroads, motor carriers, and public utilities, is exempt from the provisions of parts 1 through 3.

(3) (a) In any action challenging or seeking review of an agency's decision that a statement pursuant to subsection (1)(b)(iv) is not required or that the statement is inadequate, the burden of proof is on the person challenging the decision. Except as provided in subsection (3)(b), in a challenge to the adequacy of a statement, a court may not consider any issue relating to the adequacy or content of the agency's environmental review document or evidence that was not first presented to the agency for the agency's consideration prior to the agency's decision. A court may not set aside the agency's decision unless it finds that there is clear and convincing evidence that the decision was arbitrary or capricious or not in compliance with law.

(b) When new, material, and significant evidence or issues relating to the adequacy or content of the agency's environmental review document are presented to the district court that had not previously been presented to the agency for its consideration, the district court shall remand the new evidence or issue relating to the adequacy or content of the agency's environmental review document back to the agency for the agency's consideration and an opportunity to modify its findings of fact and administrative decision before the district court considers the evidence or issue relating to the adequacy or content of the agency's environmental review document within the administrative record under review. Immaterial or insignificant evidence or issues relating to the adequacy or content of the agency's environmental review document may not be remanded to the agency. The district court shall review the agency's findings and decision to determine whether they are supported by substantial, credible evidence within the administrative record under review.

(4) To the extent that the requirements of subsections (1)(b)(iv)(C)(I) and (1)(b)(iv)(C)(III) are inconsistent with federal requirements, the requirements of subsections (1)(b)(iv)(C)(I) and (1)(b)(iv)(C)(III) do not apply to an environmental review that is being prepared by a state agency pursuant to this part and a federal agency pursuant to the National Environmental Policy Act or to an environmental review that is being prepared by a state agency to comply with the requirements of the National Environmental Policy Act.

(5) (a) The agency may not withhold, deny, or impose conditions on any permit or other authority to act based on parts 1 through 3 of this chapter.

(b) Nothing in this subsection (5) prevents a project sponsor and an agency from mutually developing measures that may, at the request of a project sponsor, be incorporated into a permit or other authority to act.

(c) Parts 1 through 3 of this chapter do not confer authority to an agency that is a project sponsor to modify a proposed project or action.

(6) (a) A challenge to an agency action under this part may only be brought against a final agency action and may only be brought in district court or in federal court, whichever is appropriate. Any action or proceeding challenging a final agency action alleging failure to comply with or inadequate compliance with a requirement under this part must be brought within 60 days of the action that is the subject of the challenge.

(b) Any action or proceeding under subsection (6)(a) must take precedence over other cases or matters in the district court unless otherwise provided by law.

(7) The director of the agency responsible for the determination or recommendation shall endorse in writing any determination of significance made under subsection (1)(b)(iv) or any recommendation that a determination of significance be made.

(8) A project sponsor may request a review of the significance determination or recommendation made under subsection (7) by the appropriate board, if any. The appropriate board may, at its discretion, submit an advisory recommendation to the agency regarding the issue. The period of time between the request for a review and completion of a review under this subsection may not be included for the purposes of determining compliance with the time limits established for environmental review in 75-1-208."

Section 3. Effective date. [This act] is effective on passage and approval.

Section 4. Applicability. [This act] applies to environmental impact statements commenced on or after [the effective date of this act].

- END -

Latest Version of HB 142 *(HB0142.ENR)*

Processed for the Web on March 17, 2003 (9:26am)

New language in a bill appears underlined, deleted material appears stricken.

Sponsor names are handwritten on introduced bills, hence do not appear on the bill until it is reprinted.

See the status of this bill for the bill's primary sponsor.

Status of this Bill | 2003 Legislature | Leg. Branch Home

This bill in WP 5.1 | All versions of all bills in WP 5.1

Authorized print version w/line numbers (PDF format)

Prepared by Montana Legislative Services

Cooperating Agency (CA) and Coordination

Prepared for the MT Association of Counties

Presented by:
Cynthia Moses-Nedd, DOI Liaison to State & Local Government
Robert Winthrop, BLM Senior Social Scientist
Shannon Stewart, BLM NEPA Specialist

COOPERATING AGENCY BACKGROUND: The cooperating agency role derives from the National Environmental Policy Act (NEPA) of 1969, which calls on federal, state, and local governments to cooperate with the goal of achieving "productive harmony" between humans and their environment.

- The Council on Environmental Quality's (CEQ) regulations implementing NEPA allow federal agencies (as lead agencies) to invite tribal, state, and local governments, as well as other federal agencies, to serve as CAs in the preparation of environmental impact statements.
- In 2005, the BLM amended its planning regulations to ensure that it engages its governmental partners consistently and effectively through the CA relationship whenever land use plans are prepared or revised.
- Department of the Interior (DOI) subsequently applied this policy to the preparation of all EISs department-wide.

> ***THE NATIONAL ENVIRONMENTAL POLICY ACT***
> ***...it is the continuing policy of the Federal Government, in cooperation with State and local governments, and other concerned public and private organizations...to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.***
> ***(Sec. 101 (a), emphasis added)***

WHAT IS COOPERATING AGENCY? The CA relationship is a distinctive partnership that moves beyond consultation to engage officials and staff of local, state, tribal and federal government in a working partnership. The CAs share expertise and resources to help shape BLM land use plans and project-level EISs that better reflect the policies, needs, and conditions of their jurisdictions and the citizens they represent.

WHY HAVE COOPERATING AGENCIES AT THE TABLE?

- So that federal land managers can gain early and consistent involvement of CA partners
- To provide key information and incorporate local knowledge of economic, social, and environmental conditions, as well as state and local land use requirements
- To address intergovernmental issues
- To avoid duplication of effort
- To enhance local credibility of plans and EISs
- To encourage CA support for management decisions
- To build relationships of trust and cooperation

KEY CONSIDERATIONS---

- Tribal, state, and local partners need to recognize that the CA relationship is a forum for sharing information and expertise, not for asserting authority.
- Engaging in a cooperating agency relationship neither augments nor diminishes an agency's jurisdiction and authority.
- The Agency remains the final decision-making authority.
- BLM managers and staff should acknowledge that the CA relationship requires new ways of doing business. Engaging with government partners as CAs is not another form of consultation or public involvement.
- Cooperating agencies expect and deserve to be given a significant role in shaping plans and environmental analyses—not merely commenting on them—commensurate with their available time and knowledge.

WHERE DOES COORDINATION COME INTO PLAY? The BLM has a broad responsibility to coordinate with other units of government. To the extent practicable, the BLM will seek to maximize consistency with the plans and policies of other governmental entities. This responsibility applies to all affected governments and agencies, whether or not a CA relationship has been established.

> In pertinent part, **FLPMA states**, [T]he Secretary shall, to the extent he finds practical, keep apprised of State, local, and tribal land use plans; assure that consideration is given to those State, local, and tribal plans that are germane in the development of land use plans for public lands; assist in resolving, to the extent practical, inconsistencies between Federal and non-Federal Government plans, and shall provide for meaningful public involvement of State and local government officials, both elected and appointed, in the development of land use programs, land use regulations, and land use decisions for public lands, including early public notice of proposed decisions which may have a significant impact on non-Federal lands.
>
> **BLM REGULATIONS (43 CFR 1610.3-1 (BLM) state:**
> **Coordination of planning efforts.**
> (a) In addition to the public involvement prescribed by §1610.2, the following ***coordination*** is to be accomplished with other Federal agencies, state and local governments, and federally recognized Indian tribes. . . .
> (1) Keep apprised of non-Bureau of Land Management plans;
> (2) Assure that BLM considers those plans that are germane in the development of resource management plans for public lands;
> (3) Assist in resolving, to the extent practicable, inconsistencies between Federal and non-Federal government plans;
> (4) Provide for meaningful public involvement of other Federal agencies, State and local government officials, both elected and appointed, and federally recognized Indian tribes, in the development of resource management plans . . . and
> (5) Where possible and appropriate, develop resource management plans collaboratively with cooperating agencies.

HOW DOES THE CA RELATIONSHIP AFFECT COORDINATION REQUIREMENTS? The BLM has a duty to coordinate even without a formal cooperating relationship. However, the operative word is RELATIONSHIP!!! The CA relationship goes beyond coordination by facilitating a close collaboration in sponsoring public involvement, reviewing resource data, formulating alternatives, and analyzing potential impacts. The CA relationship provides the best opportunity for the detailed coordination of policies.

TO WHAT EXTENT IS THE BLM OBLIGATED TO FOLLOW LOCAL PLANS AND POLICIES IN ITS COORDINATION EFFORTS? By regulation, the BLM has an obligation to seek consistency with state, local, and tribal resource management plans *to the degree that such plans are also consistent with applicable federal law and regulation.*

> **BLM REGULATIONS (43 CFR 1610.3-2)state:**
> **Consistency requirements.**
> (a) Guidance and resource management plans and amendments ... shall be consistent with officially approved or adopted resource related plans, and the policies and programs contained therein, of other Federal agencies, State and local governments, and Indian tribes, so long as the guidance and resource management plans are also consistent with the purposes, policies, and programs of Federal laws and regulations applicable to public lands....